

**GOVERNOR'S GROVE HOMEOWNERS ASSOCIATION, INC.**

**RESOLUTION NO. 2013 - 018**

*Establishing procedures for sending notice to Association Members through electronic means.*

**WHEREAS**, Article VII, Section 1(c) of the Bylaws of Governor's Grove Homeowners Association, Inc. ("Bylaws") provides that the Board of Directors ("Board") of Governor's Grove Homeowners Association, Inc. ("Association") will exercise for the Association all powers, duties and authority vested in or delegated to the Association and not reserved to the Membership by other provisions of the Bylaws, the Articles of Incorporation, or the Declaration of Covenants, Conditions and Restrictions;

**WHEREAS**, Article III, Section 3 of the Bylaws provides that written notice of each meeting of the Members will be given by mailing a copy of such notice, postage prepaid, at least fifteen days, but not more than sixty days before a meeting to each Member at the address last appearing on the books of the Association;

**WHEREAS**, Article XV, Section 2 of the Bylaws provides that unless another type of notice is specifically provided for in the governing documents, any and all notices called for in the Bylaws will be given in writing;

**WHEREAS**, Section 55-510.1.B of the Virginia Property Owners' Association Act ("Act") provides that notice of the time, date and place of each meeting of the Board or of any subcommittee or other committee will be published where the notice is reasonably calculated to be available to a majority of the lot owners;

**WHEREAS**, Section 55-515.3.A of the Act provides that unless the declaration expressly provides otherwise, any notice required to be sent or received may be accomplished using the most advanced technology available at that time if such use is a generally accepted business practice;

**WHEREAS**, Section 55-515.3.B of the Act provides that acceptable technology includes electronic transmission over the Internet, or the community or other network, whether by direct connection, intranet, telecopier or electronic mail;

**WHEREAS**, Section 55-515.3.F of the Act provides that if any person does not have the capability or desire to conduct business using electronic transmission or other equivalent technological means, the association will make reasonable accommodation, at the association's expense, for such person to conduct business with the association without use of electronic means;

**WHEREAS**, Section 55-515.3.G of the Act provides that notices related to an enforcement action by the association, an assessment lien, or foreclosure proceeding in enforcement of an assessment lien will be sent in accordance with the governing documents; and,

WHEREAS, the Board believes it to be in the best interest of the Association to establish a procedure allowing notice to be sent to owners by the most acceptable technological means.

NOW, THEREFORE, BE IT RESOLVED that the Board hereby adopts the following policy allowing Association notices to be sent by technological means.

**I. Request to Receive Notice by Electronic Means.**

A. Members wishing to receive Association notices by electronic means must complete the request form attached as Exhibit A to this Resolution.

B. Members who do not complete the request form will continue to receive notice by mail or hand delivery.

**II. Notice of Association Meetings.**

A. Pursuant to Article III, Section 3 of the Bylaws, notice of all Association meetings will be given by regular United States mail to all Members at addresses listed in the Association records.

B. Notice of Association meetings may also be sent via electronic mail to Members who request notice be sent by electronic means as evidenced by submission of the request form attached as Exhibit A to this Resolution.

C. Notice of Association meetings may also be posted on the Association website.

**III. Notice of Board Meetings and Committee Meetings.**

A. Notice of scheduled Board and Association committee meetings will be sent via electronic mail to Members who request notice be sent by electronic means as evidenced by submission of the request form attached as Exhibit A to this Resolution.

B. Notice of Board and Association committee meetings will be posted on the Association website.

**IV. Notice of Enforcement Action.**

A. Notice regarding enforcement action concerning a Member's lot or use of Common Area will be sent via regular or certified mail as required by the Act and governing documents.

B. Notice regarding delinquency in the payment of assessments or charges will be sent via regular or certified mail as required by the Act and governing documents.

C. Notice of enforcement action or delinquency may also be sent by electronic mail,

to Members who request notice be sent by electronic means as evidenced by submission of the request form attached as Exhibit A to this Resolution.

V. **Other Notices.**

A. All notices and correspondence, not required by the governing documents to be sent by regular or certified mail, will be sent by electronic mail to Members who complete and submit the request form attached as Exhibit A to this Resolution. Notices and correspondence will be mailed or hand delivered to Members who have not completed and submitted a request form.

B. Association notices and correspondence may also be posted on the Association website.

**GOVERNOR'S GROVE HOMEOWNERS ASSOCIATION, INC.**

**Request to Receive Notice by Electronic Mail**

Name: \_\_\_\_\_

Property Address: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

\_\_\_\_\_

Phone: (Home) \_\_\_\_\_ (Work/Cell) \_\_\_\_\_

Email: \_\_\_\_\_

I request and authorize Governor's Grove Homeowners Association, Inc. to send all notices and other correspondence to me at the email address provided above. I understand that notice and correspondence required by the governing documents or Virginia law to be sent by regular or certified mail, will continue to be sent by regular or certified mail. All other notices and correspondence will be sent by electronic means.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

GOVERNOR'S GROVE HOMEOWNERS ASSOCIATION, INC.

RESOLUTIONS ACTION RECORDED

Resolution Type: Policy No. 2013-01B

Pertaining to: Electronic Notice

Duly adopted at a meeting of the Board of Directors held 1.30.2013

Motion by: Harvey Johnson Seconded by: Sandy Black

VOTE:

	YES	NO	ABSTAIN	ABSENT
<u>Harvey Johnson</u> President	X			
<u>Chris King</u> Vice President	X			
<u>Sandy Black</u> Secretary	X			
<u>Nasen Knapp</u> Treasurer				X
<u>Shawn Boy-Matney</u> Director	X			

ATTEST:

Sandy Black Date 30 Jan 2013  
Secretary

Resolution effective: March 15, 2013